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G.F. 71.

19 40

Department of Rev

OFFICE Bar Rev

STATION Mad

Mis No. 3491

Dated 30-12-40

DESPATCHED 16 DEC 1940

E 1671/40

Pages in the file 32

(SUBJECT.)

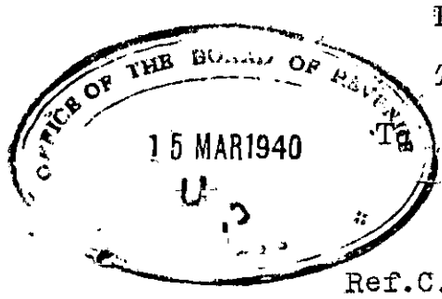
Alienation - land - Rev - (Belly) -
Belly. Tk & Belly village - S.No. 522/8 -
Playground for the St John's High School
& institute of the Franciscan Fathers of the English
province in Belly - Granted - G.O. Comm

32. Revenue DEPARTMENT. F 1071

In reply, please quote number, date and short title.*

Received *Registered*

From (Name) A.D. Crombie Esquire., C.I.E.,I.C.S.,
(Designation) Collector,
Post Box, (Station) Bellary,
Telegraphic Address



To

The Secretary to the Board of Revenue,
Madras.

Ref.C. *No.*2643/38 A7, *dated* 11th March 1940

Sir,

Alienations - Land and Revenue - Bellary Taluk and Town - S.No. 522-88 - St. John's High School authorities - For use as play groud - proposals submitted.

ENCLOSURES

Forwarded with the letter

SPARE COPIES

The Managing Body of the Institute of the Franciscan Fathers of the English Province in Bellary and of the Roman Catholic Mission and St. John's High School, Bellary, has applied for the alienation of a portion of S.No. 522-1-A/6 classed as village site of Bellary village and Taluk for use as the site of a play-ground for the St John's High School. The plot proposed for alienation is separately subdivided and denoted as S.No. 522-88 and measures 2.70 acres. It is at the disposal of the Provincial Government. Please see B.P. Misc. 2581 dated 22-8-37. The land contains one sunkesa tree valued at Rs. 4-8-0. The market value and the capitalised value of the assessment foregone are Rs. 6534/- and Rs. 421-14-0 respectively. The Managing Body of the St. John's High School, which is registered as a society under the Indian Companies Act of 1860 (certificate of registration No.1 of 1934-35) has agreed to abide by the required conditions of alienation and to pay the cost of the sunkesa tree standing on the land. The alienee requests that land and land revenue may be alienated.

2. The Municipal Council, Bellary has no objection to the proposed alienation. One Vamajee Nalmal, Banker and owner

owner of the bungalow in S.No. 522-2 of Bellary has objected to the alienation of S.No. 522-88 to the St. John's High School authorities for the reasons stated in his petitions which are submitted in original. The main points of objection raised, are ---

i) that he has got drains, drainage roof, spouts and other connections on the south and East of his bungalow and a gate opened on the East side from the origin of the building and compound,

ii) that there is a road and a gate on the western side of his bungalow and that the gate is a main entrance to his bungalow on the western side.

iii) that the road separates the actual play ground of the School and his bungalow compound and the land lying on the southern side of his compound,

iv) that the grant of the site in full even on Eastern side of the road will not allow any passage to the owners of the bungalow in S.No. 522/3,

and v) that the land situated on the east and south cannot be claimed by any except himself and that the Mission may claim only the portion of the land lying ~~xxxxxxxxxxxxx~~ land on the east of the road. In his first petition, he requested that a margin of 20 feet wide may be allowed "so far as his building is in existence towards East, West and south," Subsequently he requests that the portion of the land denoted in red colour in the sketch enclosed by him to his petition, may be assigned to him on payment of appropriate market value.

3. The topographical sketch and the sketch submitted by the objector show that there is vacant space and fort rampart wall towards the East of objector's bungalow. The portion lying to the East of his bungalow is not fit for use ~~and~~ as play ground. The objector's contention that the Mission authorities can claim only the portion lying on the East of the road (1) noted in his sketch

sketch is wrong as the land applied for alienation is to the west of the said road. It is evidently a mistake for 'West'

4). The Tahsildar, Bellary, reports that the objector's bungalow and compound attached to it form a full house site plot and his claim for the assignment of the site adjacent to his plot in the South and East in line with his western boundary is presumptuous and not bonafide, and that he came in possession of the bungalow only a few years back whereas the site is being used for a long time as a play ground by the pupils of the St. John's High School. The Tahsildar and the Revenue Divisional Officer of Bellary, are of opinion that parcelling of the plot would render the land unsuited for the play ground. The Revenue Divisional Officer, Bellary, reports that there is no necessity to provide a road to the west of the objector's bungalow as the western gate is quite close to the road and as there is also a main gate way on the northern road. In addition to the required conditions of alienation, the school authorities have consented to allow free passage to the western gate of the objector's bungalow and to leave a road of 40 feet wide towards the south of field for another mission bungalow in S.No. 522/3.

5) I inspected the site and found that the objector's buildings are new constructions, whereas the mission has been using the plot for years. Recently, he has put in another gate on the eastern side also. The objector's drainage arrangements are very objectionable. and he has been penalised. His objections deserve no consideration.

I submit herewith statements for the alienation of land and land revenue and recommend that the alienation may be approved. The Director of Public Instruction, Madras, recommends the grant of the land.

6) The following records are submitted herewith.

i) The resolution of the Managing Body of the Institute of the Franciscan Fathers of the English Province in Bellary and of the Roman Catholic Mission and the St. John's High School, Bellary.

ii) The resolution of the Municipal Council, Bellary.

iii) Two objection petitions of Varamajee Navalmal with a sketch received from him.

iv) Subdivision records (with duplicate sketches)

v) Topographical sketches and statement showing the classification of lands surrounding the land proposed for alienation (Two copies)

vi) A copy of the letter R.C.No. 51-D-39 dated 9-9-39 received from the Director of Public Instruction, Madras.

14.3.40

For Collector.

RK/ 12-3

13.3

5

Copy of letter R.C. No. 51 D-39 dated 9-9-1939 from the Director of Public Instruction, Madras, to the Collector of Bellary.

Sub:- Alienation of Government land - St. John's ~~xxxxxxx~~ High School Bellary - Play ground - recommended.

I have the honour to forward herewith the renewed application from the Correspondent, St. John's High School Bellary for the alienation of a piece of Government land for the use of the school as a play ground. Though the correspondent mentioned ~~x~~ 7.51 acres as the area of the land required by him, it has been ascertained from him subsequently that he would be satisfied with the alienation of a compact piece of land measuring about 4 acres I, therefore, recommend that 4 acres may be alienated under the usual conditions.

2. In this connection I would invite your attention to the correspondence ~~x~~ ending with your letter L.Dis. No. 5506/37 dated 3-11-1937 on the same subject.

(True copy)

14.3.40

For Collector.

RK/ 13-3

13.3

7

Application for the alienation of land in which the Proprietary right belongs to the State.

Bellary Taluk	Bellary Village.
Description and area.	S.No. 582-88 of Bellary village in Bellary Taluk measuring 2-70 acres ~~x~~ classed as village site poramboke.
2. Market value	Rs. 6534/- 0-8-0 per square yard ~~xx~~ or Rs. 2420/- per acre.
3.~~x~~. Alienee and purpose of alienation	The Managing Body of the Institute of Franciscan Fathers of the English Province in Bellary and of the Roman Catholic mission and the St. John's High School, Bellary, for use as play ground.
4. Collector's remarks	The land may be alienated.

14.3.60
For Collector.

RK/13-3

13.3

9

Application for the alienation of land revenue payable to Government.

Bellary District
Bellary Taluk
Bellary Village.

1. Description and area	1. S.No. 522-88 of Bellary village in Bellary Taluk, measuring acres 2-20 classed as village site porambok
2. (a) Annual assessment or groundrent.	Rs. 16-14-0 at Rs. 6-4-0 per acre.
(b) Capitalized value	Rs. 421-14-0
3. Alienee and purpose of alienation.	The Managing Body of the the Institute of the Franciscan Fathers of the English Province in Bellary and of the Roman Catholic Mission and the St. John's High School, Bellary , for use as play ground.
4. Collector's remarks	Land Revenue may be alienated.

14.3.60

For Collector.

RR/13-3

13.3

15

105 44

Resolution of the Managing Body of the Institute of the Franciscan Fathers of the English Province in Bellary and of the Roman Catholic Mission, Bellary, who are also the Managers of St.John's High School, Bellary and are registered under the Companies' Act XXI of 1860.

Resolved:-

That in connection with the application made to Government for the alienation of a piece of land adjoining St.John's High School, Fort, Bellary,(S.No.522/1-A-6), for use as a school playground, the Managing Body binds itself to provide free passage from the Western gate of Nawal Mal to the road to the North.

Rev J Hogan.

Bellary.
July 2nd 1939.

Chairman.
Managing Body.

2.7.39.

Resolution of the Managing Body of the Institute of the Franciscan Fathers of the English Province in Bellary and of the Roman Catholic Mission, Bellary, who are also the managers of St. John's High School, Bellary, and are registered under Act XXI of 1860

Resolved:-

I. That application be made to the Government for the alienation of a piece of land adjoining St. John's High School, Bellary, for use as a playground. The land in question is a portion of S. No.522-88 village site peramboke of Bellary village, measuring about acres 2.70 leaving a road of 40 feet wide towards the south of the field for another Mission Bungalow.

II. That the conditions laid down by the Government for the alienation of land will be accepted and faithfully observed, which are as follows:-

1. The land shall be used as a playground and for no other purpose.

2. The exemption from the payment of land revenue shall remain in force only so long as the land is used for the purpose of a playground. Full assessment shall be levied if at any time any net income is derived from the grant.

3. The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected, or other works that may have been executed on the land by the grantee. If there are buildings on the land, the Government may direct the grantee to remove them.

4. The Government may resume the land, wholly or in part, with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting mining operations.

5. In the event of resumption under condition 4, if there are any buildings on the land, the Government may, at their option either
(a) purchase the buildings, or
(b) direct the grantee to remove the buildings.

6. In the event of the resumption of the land followed by the purchase of the buildings under condition 5, or in the event of the acquisition of the land for any reason, the compensation payable for the buildings or other improvements shall in no case exceed the initial cost or the value at the time of resumption or acquisition whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant.

7. In the event of the grantee refusing to remove the buildings when so directed under condition 3 or 5 the Government may remove them and realise the cost of the removal by the sale of the materials.

8. In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on

on the land by the grantee.

9. The Government reserve to themselves the right to all sandal wood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or to cause them to be cut or removed without permission of the Collector of the District.

10. The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandal wood trees from theft or damage and for the careful protection of the immature trees growing on the land.

11. The alienee shall take steps to see that the marks made by the officers of the Government on the sandal wood trees are preserved and not tampered with.

12. In the event of the infringement of, or the failure to observe any of the conditions 9 to 11, the alienee shall pay to the Government such compensation as is determined by the Collector of the District for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

13. The full ground rent shall be levied if any of the conditions of the alienation are infringed from the date of such grant.

14. No part of the land set apart for the playground shall be built upon without the previous sanction of the Collector of the District.

15. If there are buildings so constructed with permission, compensation shall be payable as usual.

16. If buildings are constructed in violation of condition 14, the land with buildings shall be resumed without any compensation whatever.

1. There is one sunkesa tree on the land to be alienated valued by the Revenue Inspector at Rs.4.8.0.

~~There [illegible] the Revenue, one babul tree and 2 babul twigs on the land to be alienated, valued by the Revenue Inspector at XXXXXXXXXXX~~ The Managing Body is willing to pay the value of ~~this tree~~.

(Rod) J Hogan

Chairman,

MANAGING BODY

Bellary,

1st. February 1939

17. The Govt. may resume the land wholly or in part with any buildings thereon if the recognition of the school is withdrawn

18. The amount of any grant made by the Govt towards the construction of buildings shall be deducted from the amount of compensation payable under the usual conditions

31

Extract from the Proceedings of the Municipal Council, Bellary passed at its meeting held on 25-1-1940.

****

No.13. Read Council Resolution No. 35 dated 19-12-38 and Collector's letter C.No. 2643/38 A7 dated 2-9-39 requesting the views of the municipal Council regarding – the proposed alienation of land S.No. 522-1A/6 B1 measuring acres 2-70 of Bellary as play ground for St. John High School.

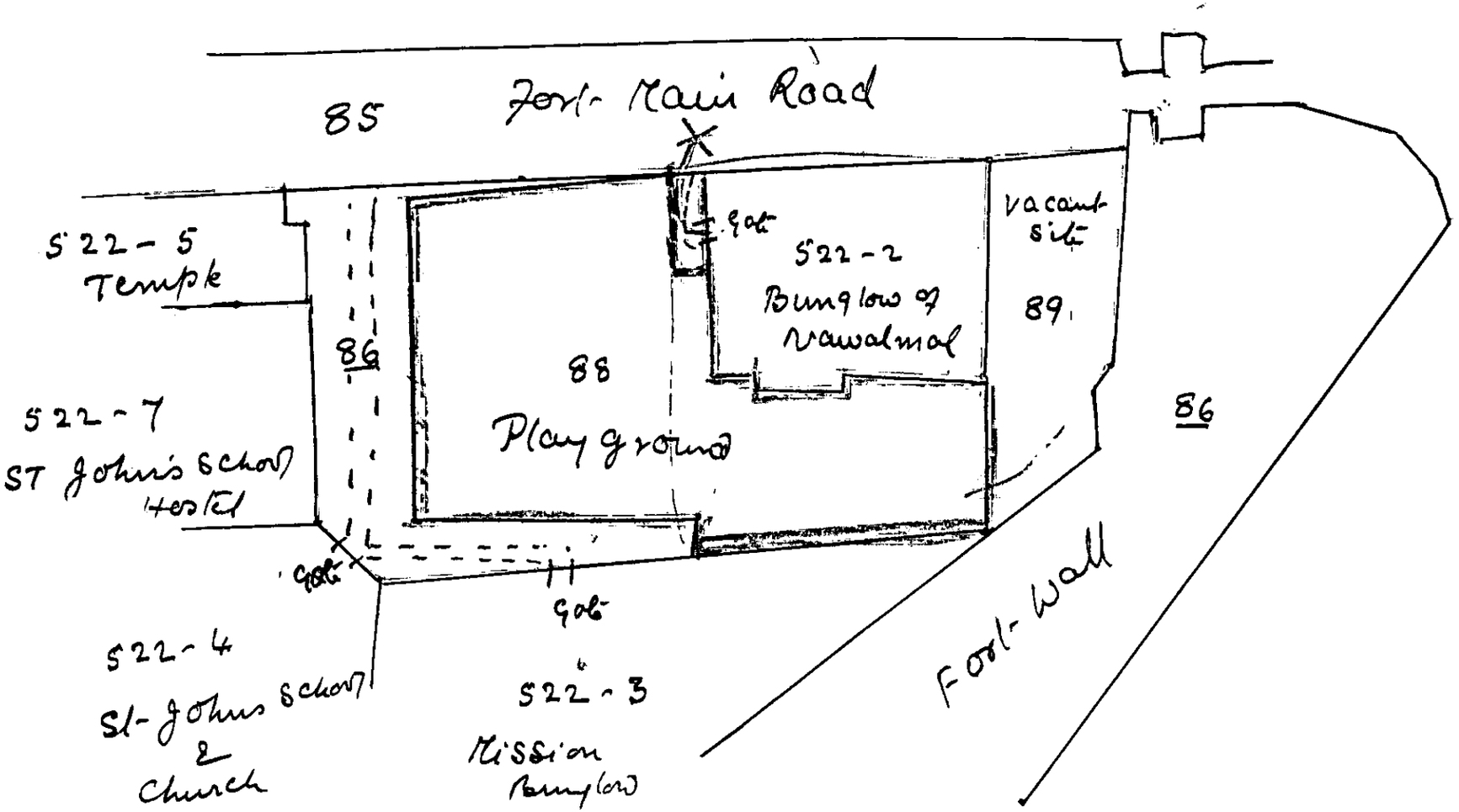
Resolution:- The Council has no objection to the grant of the site to the St. John's High School for the purpose of play ground.

Sd/ D. Abdul Rawoof
Chairman M.C.,

(True extract)

Commissioner.

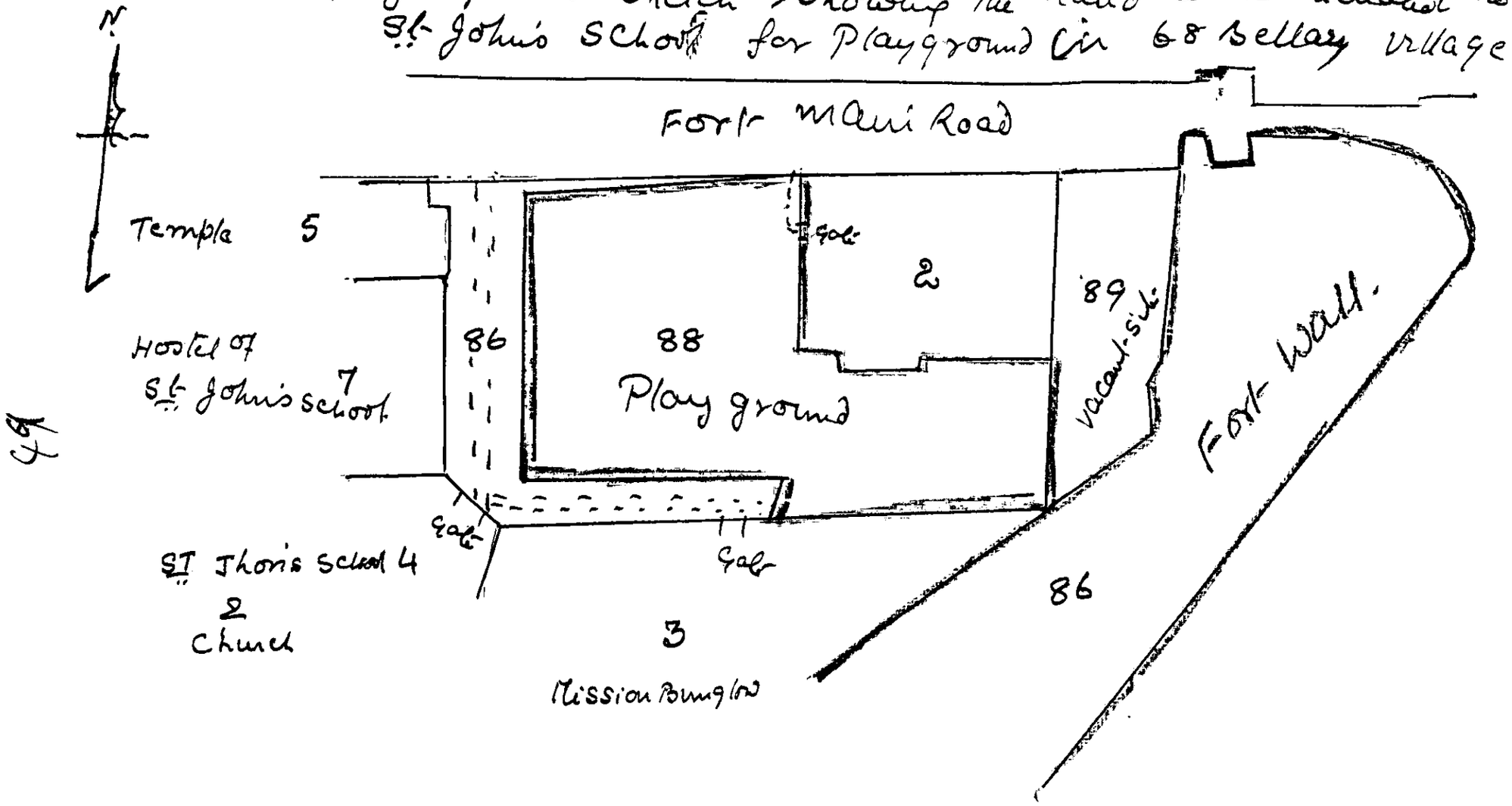
Topographical Sketch Showing the land (522-88) to be alienated to the St Johns School for Playground in Bellary Village.



Scale 1" = 2 chains

31.X.29 R.I. Bellary

Topographical Sketch Showing the land to be alienated to The St. John's School for Playground in 68 Bellary Village.



Scale 1" = 2 chains

J. Whitehead
4/1/35
J. Whitehead

Rob Chasm
31-X-35 R Bellary

Statement showing the classification of the lands surrounding the land to be alienated to the St. John's School for Playground.

Survey No. of the land surrounding Sno 522-88.	Extent	Classification	Remarks.
522-5	0.26	Govt. Poramboke	Temple.
522-77	2.50	— do —	Village Site- alienated to the St. John's School for Orphanage - Now used as hostel
522-4	0.94	— do —	— Village Site. St. John's School and Church.
522-3	2.45	— do.	Village Site — Mission Bungalows.
522-85	12.30	— do —	Salem Road
522-89.	1.12	— do.	Village Site — Vacant Site-
522-86.	30.97	— do —	— do — Village Site

16.1.39

31.x.39

Statement showing the classification of the lands surrounding the land to be alienated to the St. Johns School for Playground.

Survey number of the land surrounding S.No 522-88.	Extent	Classification	Remarks
522-87	0.24.	Govt. Poramb.	Temple.
522-77	2.50	-do-	Village site alienated to the St. Johns School for orphanage - now used as hostel.
522-4	0.94	-do-	Village Site - St. Johns School & Church.
522-3	2.45	-do-	Village Site - Mission Bungalow.
522-85	12.30	-do-	Road.
522-89	1-12	-do-	Village site - Vacant site.
522-86	30.97	-do-	Village site.

J. Venkatasubbiah
10.X.39
Deputy Tahsildar

Tahsildar
31.X.39
R.D. Bellary

(Trans.)

Alienation - Land - Revenue - (Ballary) - Ballary taluk and town. S. No. 522/88 - St. John's High School - Playground - Managing body.

DESPATCHED
1-APR 1940

Proc. E. 1671/40 - from Collr. of Ballary, Rc. Cir. No. 43/384 dt. 11-3-40 [illegible]

Refce No. E 1671/40-1, dt. 28-3-40

The Collr. is requested to obtain the consent of the alienee to the following additional conditions:

(1) The Govt. may resume the land wholly or in part with any buildings thereon, if the grant of the school is withdrawn, and.

(2) The amount of any grant made by the Govt. towards the construction of buildings, shall be deducted from the amount of compensation payable under the usual conditions of alienation.

27-3-40

The Collr. of Ballary

57 E 3370

C.T. 32 (a).

In reply, please quote number, date and short title.*

Revenue DEPARTMENT.

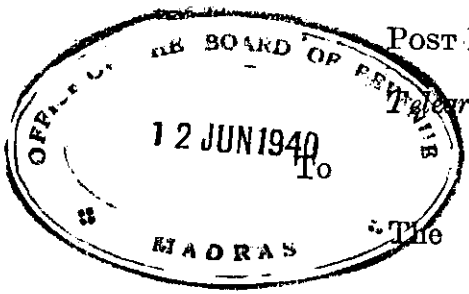
Received *Registered* E3

From (Name) M.Karamatullah Esq., I.C.S.,

(Designation) Collector,

Post Box, (Station) Bellary.

Telegraphic Address



To

The Secretary,
Board of Revenue,
MADRAS.

Ref. C.No.2643/38-A-7 *dated* 8-6-40. *193* .

Sir,

ENCLOSURES

SPARE COPIES

Alienation:- Land and Revenue - Bellary Taluk and Town - S.No.522/88- St. Johns High School Play ground - Consent of Managing body - Submitted.

Ref:- Your Ref.E.1671/40 dated 28-3-40.

The consent of the alienee to abide by the additional condition is obtained and submitted.

Madras

For Collector.

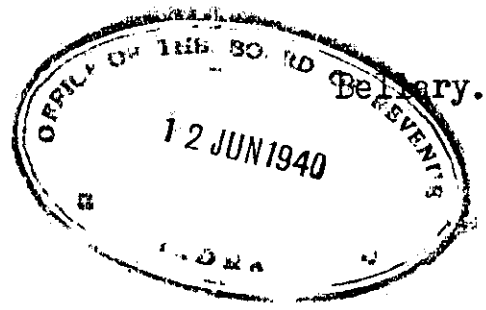
S.N.10-6-40.

10.6.

59

213

60/1.6.40 2643/38



Bellary. May 30th 1940.

From

The Manager of the Roman Catholic Mission and of the Institute of the Franciscan Fathers, Bellary.

To

M. Karamatullah Esquire., M.A., I.C.S.,
Collector, Bellary.

Sir,

Alienations - Land and Revenue - Bellary Taluk and Town S. No, 528/88 - St. John's High School Playground - Managing Board. Ref. C. 2643/38. A. 7

The Managing Body consents to the following additional condition of alienation:-

" The amount of any grant made by the Government towards the construction of buildings shall be deducted from the amount of compensation payable under the usual conditions of alienation".

John Hogan.

Manager of the Roman Catholic Mission and of the Institute of the Franciscan Fathers, Bellary.

A S(Z.N.) (F.W.S.)

Alienation - Land - Rev. (Bellary)

Bellary taluk & town - ~~Registration~~

S.No. 522-88 - Managing body

St. Johns High School - For use

as play ground.

DESPATCHED
6-JUL 1940

pp 1-4 cf E 1671/40 [From the Collr. of Bellary, Regd. No. 2643/38-A7 dt 11.3.40] Q

p. 5 cf E 3370/40 [From the Collr. of Bellary Regd. No 2643/38-A7 dt 8.6.40] C

Regd. E. No. 1671/40-2 dt 3.7.40

pp 9-7 cf

In the proposal for alienation the Collr. has stated that the ~~proposed~~ alienation is to be made in favour of the Managing body of the Institute of the Franciscan fathers of the English province in Bellary and of the Roman Catholic Mission and St. John's High School, Bellary. The Collr is requested to report ~~the~~ the name under which the managing body ~~in whose favour the alienation~~ has been registered as ~~in which the grant is proposed to~~ ~~be made~~ must be made in favour of the Managing Committee St. John's High School Bellary

Its headquarters in India Outside India

PT

~~The Colle. also requested to~~
report whether the head quarters
of the Society is ~~in India~~
outside India also and if so
~~to state the name of the~~ such HQrs.

2 In the Statement showing ~~the~~ p 53 of
the classification of the lands
surrounding the land to be alienated
item 2 (S. No. 522-77) is shown
as village site alienated to
St. John's School for orphanage
but now used as hostel. The
Colle. is requested to ~~report~~ state the order in which
the alienation was sanctioned for an orphanage
~~under what circumstances~~
and to report how
~~and authority~~ the site alienated
for the orphanage is now used
as hostel.

To

The Collector of Bellary.

3
28.6.40

18/2/17

29.6

17

63

F 5267

C.F. 32.

Revenue DEPARTMENT.

In reply, please quote number, date and short title.*

*Received*_____ *Registered*_____

From (Name) A.D Crombie Esq.,C.I.E., I.C.S.,

(Designation) Collector

Post Box_____, (Station) Bellary,

*Telegraphic Address*_____

OFFICE OF THE BOARD OF REVENUE
10 SEP 1940

To

The Secretary to the Board of Revenue,

Madras.

R O C *No.* 2643/38 A-2, *dated* 7-9-1940.

Sir,

*

Enclosures_____

_____

_____

Spare Copies_____

Alienation - Land - Revenue - (Bellary) - Bellary taluk and town - S. No. 522/88 - Managing Body - St. John's High School - Playground - Further report submitted.

Ref: Board's Ref. E. 1671/40-2 dated 3-7-1940.

6 1

The Managing Body of the Institute of the Franciscan Fathers of the English Province in Bellary and of the Roman Catholic Mission and St. John's High School, Bellary has not been registered; but the 'Institute of the Franciscan Fathers of the English Province in Bellary' has been registered under the Societies Registration Act XXI of 1860. A copy of the Registration Certificate is enclosed.. The headquarters of the Institute in India is Bellary and London outside India.

2 The Chairman of the Managing Body of the above institute now requests that the site for the Playgr und of the St. John's High School may be alienated in favour of the above institute as the High School is also under the management of the said institute. I recommend that this may be done.

3. The old S. Nos. 522-4-II and 522-4-III now forming S. No. 522-77 village site poramboke of Bellary Town were alienated in favour of the Roman Catholic Mission in

Bellary

Bellary , in G.O. No. 2342 Revenue dated 14-10-1916 communicated with B.P. No. 1932 Mis. dated 14-11-1916 for the objects specified below.

	A	C	
522.4-II	1	11	Orphanage and school.
522.4-III	1	39	Church
Total	2	50	

The report that the site alienated for the school and orphanage was being used as the site of a hostel was based on the Bellary Revenue Divisional Officer's report dated 3-8-1939. It is not correct. Subsequent to its submission, the Revenue Divisional Officer reported that the hostel building was actually located in S. No. 522-A-I and that his original report was due to wrong localization of the fields and that the site was being used only for a school and that there was no orphanage in it. There is therefore no question of the violation of the conditions of alienation.

9.9.40
For Collector.

P.S. 9/9. 9.9.

Certificate of Registration of Societies Act, XXI of 1860.

No. 1 of 1934-1935.

I hereby certify that the Institute of the Franciscan Fathers of the English Province in Bellary has this day been registered under the Societies Registration Act XXI of 1860.

Given under my hand at Bellary this First day of May One thousand nine hundred and thirty four.

(sd) S.P. Radhakrishna
Asst. Registrar of Joint Stock Companies.

(true copy) 9.9.

65

(F.W.8)

ALIENATION - Land - Revenue - ~~Buildings~~ -

Bellary) - Bellary Taluk -

Bellary Village / ~~Town~~ - S.No. 522-88 - Playground for the St. John's High School - Institute of the Franciscan Fathers of the English Province in Bellary -

Recommended / ~~Sanctioned~~.

DESPATCHED
14 NOV 1940

H 1-9 CF E 1671/40-A (duplicate copy available)
H 63 CF E 5267/40-A (Paras 1 to 2 only)

Reference. E 1671/40-3 dt 11-11-40.

At the instance of the Collector of Bellary the Board recommends / ~~sanctions~~ the alienation of the plot of land comprised in S.No. 522-88 of Bellary Village / ~~Town~~ Bellary taluk measuring Ac. 2-70 in favour of the Institute of the Franciscan Fathers of the English Province in Bellary for use as the site of a playground for the St. Johns High School, Bellary.

2. The alienation will be free of charge for the occupancy right and free of assessment ~~ground rent~~ but subject to the payment of ~~which will be liable to revision according to the rules in force at the time of such revision and subject to the payment~~ of Rs. 4-8-0 being the value of the trees standing on the land and subject also to the following conditions to which the alienee has agreed:-

(1) The land shall be used as the site of a playground and for no other purpose.

(2) The purpose of the alienation shall be carried out within a period of six months from the date of the grant.

(3) No ~~other~~ building shall be constructed on the land without the previous permission of the Collector of the district.

(4) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land.

(4) The grantee shall allow free passage ~~from the western gate of the house in S.No.522/2 to the road to the North.~~ through the playground to the inmates of the house in S.No. 522/2 from the western gate of the house to the road on the north

(5) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant, or if the school is not recognised or if recognition once granted is subsequently withdrawn. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee, ~~and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant~~. If there are buildings on the land, the Government may direct the grantee to remove them.

(6) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for a public purpose, or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reasons, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less.

(7) In the event of resumption under condition (6) if there are buildings on the land the Government may at their option either,

(a) purchase the buildings, or

(b) direct the grantee to remove the buildings.

(8) In the event of the resumption of the land followed by the purchase of the buildings under condition (7(a)) or in the event of the acquisition of the land for any reason the compensation payable for buildings or other improvements shall in no case exceed (~~the amount paid for them by the grantee at the~~ time

~~time of alienation or their value at the time of resumption or acquisition, whichever may be less together with~~) the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3). The amount of any grant made by Government towards buildings shall be deducted from the compensation payable under this condition.

(9) In the event of the grantee refusing to remove the buildings when so directed under condition (5) or (7) the Government may remove them and realise the cost of removal by the sale of the materials.

(10) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that have been effected or for works that may have been executed on the land by the grantee, ~~and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant.~~

(11) The Government reserves to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees of their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

(12) The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(13) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(14) In the event of the infringement of, or failure to observe, any of the conditions (11) to (13), the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

(15) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case the land revenue shall be levied from date of the infringement.

3. There is objection to the alienation from one Vanaji Valmal, Banker owner of the site and bungalow in S No. 522/2, ~~closing~~. In view of the fact that the Mission has agreed to provide free passage through the playground from the western gate of the objector's bungalow to the road on the North ~~through the playground~~, the Dy. Collector considers that the objections do not deserve any consideration and may be overruled

To ~~The Collector of~~

18/9/11/40

The Secretary to Government, Revenue Department (with alienation statements ~~(pages and sent)~~ to be copied and sketches (pages in original)

last section

pp 11-24 & 33 to 6

OFFICE OF THE BOARD OF REVENUE
-2 DEC 1940
E 7007
MADRAS

Received.....1940. Registered.....1940.

Abstract.

Alienation - Land and Revenue - (Bellary) - Bellary taluk Bellary village - S.No.522/88 - Playground for the St. John's High School - Institute of the Franciscan Fathers of the English Province in Bellary - Sanctioned.

Revenue Department.
G.O. Ms. No. 2960, dated the 29th November 1940.

Read the following:

From the Board of Revenue, Ref.E.No.1671/40-3, dated the 12th November 1940.

O R D E R.

The Government sanction the alienation of the plot of land comprised in S.No.522/88, measuring 2.70 acres, in Bellary village, Bellary taluk, Bellary district, in favour of the Institut of the Franciscan Fathers of the English Province in Bellary for use as the site of a playground for the St. John's High School, Bellary.

2. The alienation will be free of charge for the occupancy right and free of assessment but subject to the payment of Rs 4-8-0 (Rupees four and annas eight only) being the value of a tree standin on the land and subject also to the following conditions:-

(1) The land shall be used as the site of a playground and for no other purpose.

(2) The purpose of the alienation shall be carried out within a period of six months from the date of the grant.

(3) No building shall be constructed on the land without the previous permission of the Collector of the District.

(4) The grantee shall allow free passage through the playground to the house in S.No.522/2 from the western gate of the house to the road on the north.

(5) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant or if the school isnot recognised or if recognition once granted is subsequently withdrawn. In the event

event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee. If there are buildings on the land the Government may direct the grantee to remove them.

(6). The Government may resume the land, wholly or in part, with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reason, the compensation payable for the land and trees shall in no case exceeed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less.

(7) In the event of resumption under condition (6). if there are buildings on the land, the Government may, at their option, either

(a) purchase the buildings, or

(b) direct the grantee to remove the buildings.

(8) In the event of the resumption of the land followed by the purchase of the buildings under condition (7)(a). or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in no case exceed the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3). The amount of any grant made by the Government towards the construction of any building shall be deducted from the compensation payable under this condition.

(9) In the event of the grantee refusing to remove the buildings, when so directed under condition (5) or (7)(b) the Government may

may remove them and realize the cost of t
of the materials.

(10) In the event of the voluntary relinquishment of the the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee.

(11) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The grante shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

(12) The grantee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(13) The grantee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not ~~transferred~~ tampered with.

(14) In the event of the infringement of, or failure to observe, any of the conditions (11) to (13), the grantee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the grantee shall not be entitled to any compensatio whatever.

(15) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of alienation are infringed. In the latter case the land revenue shall be levied from the date of the infringement.

(By Order of His Excellency the Governor).

B.G. Holdsworth,
Secretary to Government.

To the Board of Revenue (with encl. returned).
" Education and P.H. Department.

True copy.

Forwarded/By Order.

Superintendent.

ASR.

DESPATCHED 18 DEC 1940

(F.W.S)

H1 CF G 1671/40 — a
H63CF G 5267/40 — a
H75-78F G 7007/40 - A

No Mis 3491 dt 9-12-40

Communicated to the Collector of Bellary.

To the Collector of Bellary with encls returned.

Note File

Alienation - land - Rev - (Bellary) - Bellary Tk and village (rayshwan) - S.No. 522/88 - St Johns High School - Use as playground - Proposals. B.S.O. 24(11).

C.S 100. f 100 Bk 68.

f 1 CF.	From the Collector of Bellary, Rc/ C.2643/38 A7 dt 11.3.40	
f 5 7 CF.	"	8.6.40.
f 63 CF	"	7.9.40.

Papers put up

Mis 258/1812 9/37 - (W)
Mis 1932/14.11.16 - (H).

Sketch at f 47 CF.

A.S

The proposals in this file relate to the alienation of an extent of 2.70 acres of village site comprised in S.No. 522/88 of Bellary village in favour of the St. John's High School, Bellary for a playground. The alienation is recommended in the name of the Institute of the Franciscan Fathers of the English Province in Bellary which is a registered body. The headquarters of the Institute in India is Bellary and outside India, London. ~~The Mission is predominantly of English nationality.~~

para - 1 - 2

2. There is objection to the alienation from one Vanraje Nalmal, Banker, owner of the site and bungalow in S.No 522/2 closely

The chief objection raised by him is that his access to the main road to the north of his bungalow through the main entrance is cut off by the alienation. he has got the main entrance to his bungalow on the west and this objection is however met by the Mission undertaking to allow free passage through the playground from the western gate to the road on the north. The Collector inspected the site and says that the petitioners objection 18/30.7.40 are frivolous and deserve no consideration

3. The Director of Public Instructions recommends the alienation. The Municipal Council has no objection to the alienation. The land is at the disposal of the Govt. The alienee has agreed to the necessary conditions which have been checked and found correct.

4. There is one punkesa tree on the land worth Rs 14-8-0 and the alienee has agreed to pay this amount. The market value of the land is Rs 1534 and the capitalised value of assessment is 421-14-0. ~~As the area involved is more than 1 acre,~~ The Board may ~~be~~ recommend to the Govt alienation of land and land revenue. D

Orders. [The sanction of Govt is necy as the extent exceeds one acre.]

The Collector's proposal is a good & fair one.

15/10

access to a door for passage to the western gate.

D.P.2 n.o.c. may be approved

CB
30.X.40

Item No. 6

SB
31/10

SECY
31 OCT 1940

A.S

draft enclosed

CB
9.11.40

8/11

8/11

Subject: G.O. Ms 2960 Rev Dt 29.11.60

A.S.

May be communicated with draft enclosed.

CB 5.44

7/12

7/12